OSP Instructions & CMS Final Rule PCSP Requirements

March 8, 2016
Developmental Disabilities Division
Overview

• New regulations established by CMS
  • Home & Community Based Services (aka waiver)
  • Effective March 17, 2014

• Setting requirements
  • Characteristics and individual experiences
  • Full access of community living
  • Enhancement on choice & control

• Person Centered Service Plan requirements
  • Planning process is person centered (methods, concepts, responsibilities)
  • Plan documentation (what to write in the OSP plan in Therap)
Overview

• Today’s focus: OSP Instructions & CMS requirements
  • Additional document created for Providers and DDPM’s with Statewide training
  • Includes PCSP CMS requirements
  • Includes changes to OSP Instructions and current OSP plan in Therap

*The complete updated OSP Instructions will be rolled out later along with other updates and enhancements

• Statewide trainings completed Sept. 2015
  • Training material & OSP Instructions found at: http://www.nd.gov/dhs/services/disabilities/dd.html
Implementation

• Changes apply NOW to all services required to use the OSP plan
  • State has not required providers of intermittent services only to use OSP in Therap
    • The Final Rule PCSP requirements should be incorporated into format used by provider
  • Includes ICF/IID’s-not in conflict with ICF/IID Regulations
  • Health Facilities reviewed and approved for ICF/IID’s

• Requirements are built within current OSP plan format in Therap

• Providers and DDPM’s implement as meeting/plans occur NOW

• Statewide Transition Plan Revision (proposed draft)
  • OSP’s written or updated to comply by December 2016
Documentation Requirements

*Information only reflects OSP Instructions correlated to the Final Rule. For any previously existing directions refer to OSP Instructions.

Overall Goals and Learning Support Objectives

- Include identified goals and desired outcomes
  - No changes-OSP already contained instructions and documentation for goals, objectives and supports
Documentation Requirements

Review of plan and progress toward outcomes, Self-assessment, Risk assessment, Residential assessment, Vocational/employment/day support/VR, and Health and Welfare

- Services and supports (paid and unpaid)
- Strengths and preferences
- Clinical and support needs
- Natural supports
  - Added directions to document how natural supports and self-directed services assist in services and supports, otherwise directions already contained
Documentation Requirements

Self Assessment or Vocational/employment/day support/VR

- Summarize where person lives, works, attends school, and day supports
- Any barriers that may affect a person’s choice, the planning process should initiate and address any future steps in meeting
  - Added directions to document
Documentation Requirements

Rights limitation and due process

• Added directions to document

Modifications made to the following must be justified and document for all residential settings unless noted

1) Individuals have lease for unit/dwelling they own, rent, or occupy. Lease, at a minimum, has same responsibilities and protections from eviction that tenants have under ND landlord/tenant law.

• For provider-owned residential settings
• Not applicable to ICF/IID
Documentation Requirements

Rights limitation and due process cont.
2) Individuals have privacy in bedroom & home
   • Individual has lockable bedroom doors
   • Appropriate staff have keys under emergency situations or circumstances documented in plan
   • Individual doesn’t want lockable bedroom door after being informed of right-document in Residential Assessment
   • Provider-owned residential settings
   • Not applicable to ICF/IID
Documentation Requirements

Rights limitation and due process cont.

3) Individuals who share bedrooms have choice in roommate(s)

4) Individuals furnish/decorate bedroom and living areas within lease

5) Individuals control and have choice in own schedules and activities, and have access to food at any time
Documentation Requirements

Rights limitation and due process cont.
6) Individuals have visitors of choice any time

Document/summarize the following:
• List restrictions and summarize basis
• Individual/guardian approval, and assurance that interventions/supports will not cause harm
• Specific, individualized assessed need and related diagnosis that is related to need for restriction
  • Health & welfare concerns, assessment results, risk mitigation
Rights limitation and due process cont.

- Positive interventions/supports & less intrusive methods tried and not effective
- Review of data collected to measure ongoing effectiveness
- Time limits for periodic reviews (HRC, BMC approval)
Documentation Requirements

Review of RMAP and throughout OSP

• Risk factors and measures in place to minimize
  • No changes-OSP already contained instructions and documentation

Emergency back up plan

• Individualized back-up plans and any needed strategies
  • No changes-OSP already contained instructions and documentation
Documentation Requirements

DDPM final review and discussion-anticipated change in residence, services, supports, provider
• Document individual’s choice in where live, work, day supports. (includes guardian)
• Summarize options available, considered, visited
• No anticipated changes-discuss/document discussion ongoing options and right to change any time
• If not chosen-highlight reasons and future steps
• DDPM reviews options to ensure community integration, informed decision making, and choices continue to be afforded
• Initially, annually, as needs change, or when requested
  • Added directions to document
Documentation Requirements

DDPM final review and discussion-self directed services through traditional waiver

- Address self-directed services
- Include purpose and how individual controls aspects
  - Added additional directions to document

ISP

- Needed services and supports are authorized
- Prevents unnecessary or inappropriate services/supports
- Identified through planning process
- Mission of DD services to assist in becoming independent as can
  - Added clarifying directions but already documented
Documentation Requirements

OSP participants/attendees

• Document individual responsible to monitor the plan after title
• PC-internal monitor of services & plan
• DDPM-in depth monitor of services & plan
  • Added directions to document

Signature Page

• Documents plan is finalized
• informed consent of individual/guardian
• Signed by those responsible for implementation
  • No changes-OSP already contained instructions and documentation
Planning Process

Principles and values of the OSP process

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• Individuals/guardians may request verbally or in writing to DDPM or PC for plan update as needed
• Individual is supported to direct plan process to maximum extent possible & desired
  • Provide necessary info to enable informed choices
• Meetings timely & occurs at times/locations convenient to individual
• Includes people chosen by individual
Planning Process

Principles and values of the OSP process cont.

• Reflects cultural considerations, info provide in understandable/meaningful language, and accessible to needs
  • No professional jargon
  • Interpreters for English language learners
  • Written OSP-individualized formats such as personal “books”, pictures, own words, etc.
  • Annual rights/responsibilities
Planning Process

Principles and values of the OSP process cont.

- Choices regarding services, supports and providers
- Documents settings individual considered
  - DDPM provides information and options
  - Based on needs, preferences, goals
  - Settings include not exclusive to people with same/similar disabilities
  - Most integrated settings and ensure full access to community living
  - Individuals informed of all possibilities leading to informed choice
  - Initially, annually, needs changes, or requested
  - Residential-financial resources considered, costs, option for own bedroom & choice in roommate
Planning Process

Principles and values of the OSP process cont.

- Conflicts or disagreement within process included
  - Addressed professional, neutral, respectful manner
  - Conflict resolution skills
- OSP distributed with individual, guardian, and other team members don’t have Therap access
THANK YOU!

QUESTIONS?